

Issued May 17, 1912.

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1386.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION OF OYSTERS.

On April 14, 1911, the United States Attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed information in the Police Court of said District against H. A. Hayden, alleging the unlawful offering for sale in said District, on September 6, 1910, in violation of the Food and Drugs Act, of a quantity of oysters which were adulterated. This product bore no label.

Examination of a sample of said oysters made by the Bureau of Chemistry of the United States Department of Agriculture showed the following results: "2,430,000 organisms per cc on plain agar at 25° C.; 1,000 *B. coli* per cc; 10 oysters show the presence of *B. coli* in 1 cc of shell liquor; 9 oysters show the presence of *B. coli* in 0.1 cc of shell liquor; 4 oysters show the presence of *B. coli* in 0.01 cc of shell liquor; 10 oysters examined. These results indicate a filthy and decomposed animal substance." Adulteration was alleged for the reason that the product consisted in whole or in part of a filthy, decomposed, and putrid animal or vegetable substance.

On November 28, 1911, the defendant pleaded guilty and was fined \$5.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *February 2, 1912.*